



10-18-02

Dae

Please type a plus sign (+) inside this box → ☐PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/054,513	
	Filing Date	11/13/2001	
	First Named Inventor	Yeung et al.	
	Group Art Unit	2681	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	13	Attorney Docket Number	66329/20690

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Request for Reconsideration of Petition; Statement of Facts; Copy of returned letter to missing inventor; Postcard to be time-stamped and returned.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Susan L. Mizer Arter & Hadden LLP
Signature	<i>[Signature]</i>
Date	10/15/02

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 10/17/2002	
Typed or printed name	Kathleen Wynne
Signature	<i>[Signature]</i>
Date	10/17/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (10-01)
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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$)

0.00

Complete if Known

Application Number	10/054,513
Filing Date	11/13/2001
First Named Inventor	Yeung et al.
Examiner Name	Unknown
Group Art Unit	2681
Attorney Docket No.	66329/20690

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

50-0902(66329/20690)

Deposit Account Name

Arter & Hadden LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

0.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** = 0	X	0
Multiple Dependent	-3** = 0	X	0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

\$0.00

SUBMITTED BY

Name (Print/Type) Susan L. Mizer

Registration No. (Attorney/Agent)

38,245

Complete (if applicable)

Telephone (330) 696-3466

Signature

[Signature]

Date

10/15/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Michael Yeung et al.
FOR : METHOD AND SYSTEM FOR WIRELESS
INTERFACING OF ELECTRONIC DEVICES
APPLICATION NO. : 10/054,513
FILING DATE : November 13, 2001
EXAMINER : Unknown
ART UNIT : 2681
DOCKET NO. : 66329/20690

October ____, 2002
Cleveland, Ohio 44115-1475

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(a)

BOX DAC
Attn: Nancy Johnson, Petitions Attorney
Office of Petitions
Assistant Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

This communication is in response to the Decision Refusing Status Under 37 CFR § 1.47(a) dated September 25, 2002. In response thereto, Applicants hereby respectfully resubmit a copy of the Statement of Facts in Support of Filing on Behalf of the Non-Signing Inventor executed by Michael Yeung, co-inventor and Director of Engineering, Document Solutions Engineering, for Toshiba American Business Solutions, Inc. In furtherance of Applicants' assertions, Applicants also submit a copy of the unclaimed certified letter and return envelope, which bore no forwarding address label from the United States Postal Service. Applicants further submit a copy of a listing for Brad Emerson at his last known address found on www.switchboard.com. Applicants has attempted to contact Mr. Emerson at the phone

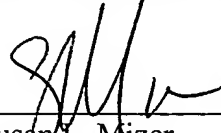
number provided on the *switchboard.com* website. However, the phone number has been disconnected and no forwarding phone number is given. Applicants have been unsuccessful in finding an e-mail address for Mr. Emerson. Further more, given the relative commonness of Mr. Emerson's name, it is difficult to guess if one of the numerous "Brad Emerson's" or "B. Emerson's" listed on internet directories is in fact the current address of our non-signing inventor.

Furthermore, Applicants are still engaged in an ongoing effort to locate the non-signing inventor, Brad Emerson. However, for timeliness reasons and in order to prevent incurring additional extension charges, Applicants filed the declaration on behalf of the non-signing joint inventor who cannot be found or reached.

It is respectfully submitted that all deficiencies in the Decision Refusing Status Under 37 CFR § 1.47(a) have been fulfilled and that the Petition is now in proper condition for further processing. The Commissioner is hereby authorized to charge any additional fees which may be required by this petition, or credit any overpayment, to Deposit Account No. 50-0902 (66329/20690).

Respectfully Submitted,

ARTER & HADDEN LLP



Susan L. Mizer
Registration No. 38,245
1100 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115-1475
(216) 696-3466 (phone)
(216) 696-2645 (fax)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Michael Yeung et al.
FOR : METHOD AND SYSTEM FOR WIRELESS
INTERFACING OF ELECTRONIC DEVICES
APPLICATION NO. : 10/054,513
FILING DATE : November 13, 2001
EXAMINER : Unknown
ART UNIT : 2681
DOCKET NO. : 66329/20690

STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NON-SIGNING INVENTOR (37 C.F.R. § 1.47)

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration, assignment and power of attorney by the non-signing inventor for the above-identified patent application before and after deposit thereof in the Patent and Trademark Office.

This statement is being made by the available person having first-hand knowledge of the facts recited therein:

I, Michael Yeung, hereby declare:

1. I am a co-inventor and the Director of Engineering, Document Solutions Engineering, for Toshiba American Business Solutions, Inc., and am responsible for

overseeing all patents and patent applications related to Document Solutions Engineering, including Application No. 10/054,513, and as such have personal knowledge of the facts contained in this declaration.

2. Prior to filing the application and pursuant to receiving a Notice to File Missing Parts of Non-Provisional Application mailed February 21, 2002, I have been attempting to contact Brad Emerson, one of inventors of this application so he can sign the declaration, power of attorney and assignment. I have also instructed our attorneys filing this application to attempt to contact Mr. Emerson. However, numerous attempts to contact him at his last known address, 1765 Santa Anna Avenue, Apt. V-103, Costa Mesa, California 92627, and phone number, (949) 548-7814, have been unsuccessful.

3. More specifically, we have repeatedly attempted to contact him by telephone and by Certified Mail, as shown in the attached letter. When telephoning Mr. Emerson, we are told that the line has been disconnected. Further, we have received no response to our letters. We have also unsuccessfully attempted to find possible new addresses for Mr. Emerson through various internet address directories.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

8/19/02

Date

Michael Yeung

By: MICHAEL YEUNG



Cleveland
Columbus
Dallas
Dayton
Irvine
Los Angeles

ARTER & HADDEN LLP

ATTORNEYS AT LAW

founded 1843

1100 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115-1475

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San Diego
San Francisco
Washington, D.C.
Woodland Hills
Affiliate Office
Geneva, Switzerland

Direct Dial: (216) 696-3466
Internet Address: susan.mizer@arterhadden.com

July 25, 2002

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Brad Emerson
1765 Santa Anna Avenue
Apartment V-103
Costa Mesa, California 92627

Re: Toshiba Patent Application Entitled:
"A Method and System for Wireless Interfacing of Electronic Devices" having
Serial No: 10/054,513
Filed: November 13, 2001

Dear Mr. Emerson:

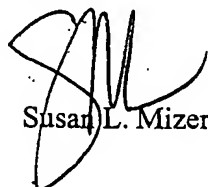
We represent Toshiba American Business Solutions before the U.S. Patent & Trademark Office for the above-referenced patent application. It is our understanding that while employed by Toshiba you were involved in the development of the above-referenced invention, and were subsequently named as inventor on the invention disclosure form provided to us by Toshiba.

Patent Office procedures require us to submit a Declaration signed by all inventors, which affirms that the named inventors were the original and first inventors of the subject matter claimed and for which a patent is sought. Enclosed please find such a Declaration for your signature. Also enclosed is an Assignment, which transfers all right, title and interest in and to said application from the inventors to Toshiba, as the invention was made in a work-made-for-hire capacity.

Please sign both the Declaration/Power of Attorney and Assignment at the indicated areas and return them to us at your earliest convenience for filing with the Patent Office. Naturally, please contact us if you have any questions or concerns.

Sincerely yours,

ARTER & HADDEN LLP



Susan L. Mizer

SLM/ack
Enclosure
669456_1.doc

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.88

5.112
CLEVELAND OH MAIN OFFICE
JUL 26 2002
Postmark Here

Recipient's Name (Please Print Clearly) (to be completed by mailer)
Brad Emerson
Street, Apt. No.; or PO Box No.
1765 Santa Anna Avenue - Apt. V-103
City, State, ZIP+4
Costa Mesa, CA 92627

920 ES22 ET00 00HE 6602



0102
8.16

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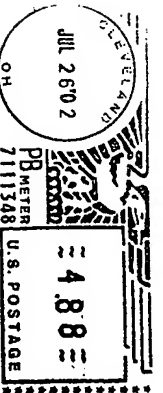


CERTIFIED MAIL

PLACE STICKER AT TOP OF ENVELOPE
TO THE RIGHT OF RETURN ADDRESS.
FOLD AT DOTTED LINE

ARTER & HADDEN LLP
ATTORNEYS AT LAW
1100 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115-1475

Mr. Brad Emerson
1765 Santa Anna Avenue
Apartment V-103
Costa Mesa, CA 92627
CERTIFIED MAIL
RETURN RECEIPT REQUESTED





COMPLETE THIS SECTION ON DELIVERY	
A. Received by (Please Print Clearly)	B. Date of Delivery
C. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	<input type="checkbox"/> Yes <input type="checkbox"/> No
D. Is delivery address different from item 1? If YES, enter delivery address below:	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

SENDER: COMPLETE THIS SECTION
<ul style="list-style-type: none">Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.Print your name and address on the reverse so that we can return the card to you.Attach this card to the back of the mailpiece, or on the front if space permits.
1. Article Addressed to: Brad Emerson 1765 Santa Anna Avenue Apartment V-103 Costa Mesa, CA 92627
2. Article Number (Copy from service label) 7089 340 0013 7753 0268

PS Form 3811, July 1999	Domestic Return Receipt	102595-00-M-0952
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